

Staff Report

Report To: City Council
Report From: Sabine Robart, Manager of Planning & Heritage
Meeting Date: April 28, 2025
Report Code: CS-25-044
Subject: Extension Request for Draft Plan of Subdivision 42T-15501

Recommendations:

THAT in consideration of Staff Report CS-25-044 respecting a request for extension to the draft plan approval for Draft Plan of Subdivision 42T-15501, known as the Redhawk Subdivision, City Council:

1. Approves the request by Monteith Brown Planning Consultants on behalf of Redhawk Construction Co Ltd., dated March 14, 2025;
2. Grants a three-year extension to the draft plan approval for the first phase, being June 24, 2028, unless further extended by the City, in accordance with Section 51 (33) of the *Planning Act*; and
3. Approves that for any subsequent phases, the lapsing date shall be five (5) years after the date of final approval of the preceding phase.

Highlights:

- Monteith Brown Planning Consultants on behalf of Redhawk Construction Co Ltd. has made an application for an extension to the approval for Draft Plan of Subdivision 42T-15501, for lands municipally known as 1905 8th Street East.
- The subject lands received draft plan approval from City Council on June 24, 2019. In 2022, Council approved an extension request to the draft approval as well as a redline revision and zoning by-law amendment, which increased the height of multi-unit buildings on certain blocks in the subdivision.

- Since 2022, the developer has submitted two comprehensive submissions addressing the conditions of approval for City and agency staff review. City staff have provided the developer with a commenting matrix for each submission that has resulted in the refinement of the subsequent submission.
- Planning Staff has reviewed the conditions of draft plan approval and finds that no modifications are necessary at this time. The conditions remain relevant for addressing the needs of the City and other commenting agencies, including the County and the Grey Sauble Conservation Authority.
- Staff recommend approval of the extension request.

Strategic Plan Alignment:

This report supports the delivery of Core Services.

Legislated review process.

Climate and Environmental Implications:

This application supports the objectives of the City's Corporate Climate Change Adaptation Plan by strengthening the resiliency of City infrastructure or services.

Of particular note:

- The development will be serviced by full municipal services, including water and sanitary sewer, and will maximize the use of land and existing municipal services.
- The development has access to active transportation infrastructure and transit.
- The development includes an on-site stormwater management system that will control stormwater quantity and quality.
- The development includes significant tree planting.

Previous Report/Authority:

[City of Owen Sound Official Plan \(2021\)](#)

[City of Owen Sound Zoning By-law 2010-078](#)

[CS-19-088](#) OPA 6, ZBA 18 and Draft Plan of Subdivision Approval 42T-15501 (June 24, 2019)

[CS-22-076](#) Extension Request for Draft Plan of Subdivision 42T-15501 (May 30, 2022)

[CS-22-127](#) ZBA 39 and Proposed Redline Revision to Draft Plan 42T-15501 for 1905 8th Street East

Background & Proposal:

Monteith Brown Planning Consultants on behalf of Redhawk Construction Co Ltd. has made an application for an extension to the Draft Plan of Subdivision Approval (42T-15501), for the Redhawk Subdivision, municipally known as 1905 8th Street East.

Property Description

The subject property is located on the south side of 8th Street East between 16th Avenue East and the future extension of 20th Avenue East. The Brightshores Owen Sound Hospital is located directly north of the parcel. The 25 ha (62 acres) property has 605 m of frontage on 8th Street East (Grey County Road 5). The lands are vacant and include fields, meadows and hedgerows and a wide shallow tributary of Bothwell's Creek. Historic driveway accesses remain, both of which are on the west side of the creek. The Bothwell's Creek tributary divides the property diagonally from approximately the centre of the south boundary to the northeast corner where it passes under 8th Street East through a culvert.

Surrounding land uses include (see Orthophoto in Schedule 'A'):

North: Brightshores Owen Sound Hospital, proposed Bremont (Telfer Creek) residential subdivision

East: Vacant, rural (NEC development control)

South: Vacant, rural (NEC development control)

West: Vacant (draft approved Greystone Village subdivision -Flato)

The subject property is designated 'Residential-Low Density', 'Residential – Medium Density', 'Residential – High Density' and 'Hazard Lands' in the Owen Sound Official Plan, 2021 (OP).

The lands are zoned in the City's Zoning By-law (2010-078, as amended):

- 'Multiple Residential' (MR) with Special Provision 14.113
- 'Multiple Residential' (MR) with Special Provision 14.114
- 'Medium Density Residential' (R4) with Special Provision 14.115

- 'Medium Density Residential' (R4) with Special Provision 14.116
- 'Single Detached Residential' (R1) with Special Provision 14.117
- 'Rural' (RUR) with a Holding Provision (H) and with Special Provision 14.118
- 'Open Space' (OS)
- 'Hazard' (ZH)

For location context and surrounding land uses, please see the Orthophoto in Schedule 'A'. For the planning policy context, please see the Official Plan and Zoning Map in Schedule 'B'. The subject lands are fully described in Schedule 'C'.

Draft Approved Plan of Subdivision 41T-15501

The subject lands received a draft plan of subdivision approval (File No. 42T-15501) from City Council on June 24, 2019 (see Staff Report CS-19-088). At that time, Council also adopted Official Plan Amendment (OPA) No. 6 and Zoning By-law Amendment (ZBA) No. 18 to By-law 2010-078. The OPA and ZBA redesignated and rezoned the lands to facilitate the draft plan subdivision and recognize the existing hazard lands.

The approved draft plan, attached as Schedule 'D', will provide for approximately 366 residential units, including a mix of single-detached dwellings, street fronting and cluster townhouses, and multiple dwellings on full municipal services, the extension of 20th Ave E and 6th St E, and a stormwater management block. As well, the draft plan provides for two larger blocks that will contain the hazard land associated with Bothwell's Creek tributary watercourse and its floodplain, and the retained lands east of the hazard lands.

Monteith Brown Planning Consultants, on behalf of Redhawk Construction Co Ltd. submitted an application for an extension to the approval for Draft Plan of Subdivision 42T-15501 in May 2022. At that time, City Council approved the extension request, which was examined in Staff Report CS-22-076, with the revised lapsing date of the first phase of the subdivision being June 24, 2025.

The applicant applied for a redline revision and associated Zoning By-law Amendment (ZBA 39) in 2022. The purpose of the redline revision was to allow for the adjustment of the location of the 20th Ave & 8th St E intersection and to realign the drainage channel on the subject lands to align with the adjacent draft plans to the west and north. The purpose of ZBA 39 was to increase the maximum building height on Block 41 from 16.2 m to 20

m, as well as facilitate the redline revisions by adjusting the location of the Hazard zone. Staff Report CS-22-127 evaluated the application, and City Council approved the redline revision and ZBA 39 request.

The draft plan conditions are attached as Schedule 'E'. In accordance with draft plan condition E.1 (c), draft plan approval of the subdivision lapses as follows:

- a. For the first phase, three (3) years after the date of Draft Approval (being June 24, 2022), unless extended by the City; and,
- b. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.

The owner has submitted a request, through their agent, Monteith Brown Planning Consultants, to extend the draft plan approval relating to the first phase. The formal written request is attached as Schedule 'D'. The applicant is requesting a three (3) year extension on the current lapsing date to provide sufficient time to work through the final details of the detailed design stage with the City and County, address final Draft Plan Approval conditions and obtain formal clearance letters, and to register the entire subdivision under one phase.

The purpose of this report is to consider the implications and appropriateness of the requested extension to the lapsing date of the Redhawk subdivision draft approval from June 24, 2025, to June 24, 2028.

Analysis:

The owner of the subject lands has submitted a request to the City to extend the lapsing date of the draft plan approval to proceed with the build-out of the subdivision in accordance with the existing approval. There are no modifications proposed to the draft plan, the conditions of approval, or the current zoning at this time. Should modifications be proposed in the future, they will be subject to the legislated review process as outlined in the Planning Act, which includes review by commenting staff and agencies, a public meeting, and final approval by City Council.

Section 51 (33) of the Planning Act permits Council, as the approval authority, to extend the lapsing date for the draft plan of subdivision. The length of the extension is at the discretion of the approval authority. Section 51 (44) of the Act further allows Council to withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time

before final approval of the plan of subdivision is achieved. Where approval is withdrawn or conditions are modified, notice must be provided in accordance with Section 51 (45) of the Act and Ontario Regulation 544/06, unless, in the opinion of Council, the change to the draft plan conditions is minor (Section 51(47)).

In accordance with Section 51 (33) of the Planning Act, Planning Staff are recommending that a three-year extension to the draft plan approval be granted for the completion of the first phase, being June 24, 2028, unless further extended by the City. For any subsequent phases, the lapsing date shall remain five (5) years after the date of Final Approval of the preceding phase in accordance with draft approval condition E.1. c.

Section 5.2.3.3 of the City's Official Plan states that where conditions of draft plan approval are not fulfilled within a reasonable time period, the City may not support the extension of development approval and assign the servicing allocation to other developments or areas of the City or hold the capacity in reserve. Engineering Services Division has no objection to the extension, and no negative implications for service allocations are anticipated that would impact the granting of an extension to draft plan approval for the subject lands.

Since the initial extension request in 2022, the developer has submitted two comprehensive submissions addressing the conditions of approval for City and agency staff review. City staff have provided the developer with a commenting response matrix for each submission that has resulted in the refinement of the subsequent submission. Based on discussions with the developer, staff anticipate an application for Final Approval of the subdivision in 2025.

Planning Staff have reviewed the conditions of draft plan approval and finds that no modifications are necessary at this time. The conditions remain relevant for addressing the needs of the City and other commenting agencies, including the County and the Grey Sauble Conservation Authority.

City Staff & Agency Comments

The request for a draft plan extension was circulated to commenting staff and agencies on April 8, 2025. In response to the request for comment from the Planning & Heritage Division, the following comments have been submitted for review and can be found attached hereto as Schedule 'G'.

City of Owen Sound Engineering & Public Works Department

Comment has been received from the Engineering Services Division. The Public Works and Engineering Department have no objection to the extension of the draft plan of approval for this subdivision at this time. It is noted that the proposed adjacent development (Flato) has a trunk wastewater sewer and stormwater outlet through the Redhawk property, which is required to facilitate their development.

The Engineering Services Division has no further comments relating to the existing conditions of draft approval at this time related to the Redhawk property.

City of Owen Sound Fire Prevention

Comment has been received from Fire Prevention with no objection to the request. The location of fire hydrants has been included in the detailed design drawings.

County of Grey

Comment has been received from Grey County staff with no objection to the request.

Financial Implications:

None to the City at this time.

Communication Strategy:

Where an extension to draft plan approval is being granted and the conditions of draft approval remain unchanged, the Planning Act does not require that notice be provided. Planning Staff will notify the applicant of Council's decision via email.

Consultation:

The request for a draft plan extension was circulated to commenting staff and agencies on April 8, 2025.

Attachments:

Schedule 'A': Orthophoto

Schedule 'B': Official Plan and Zoning Map

Schedule 'C': Property Information

Schedule 'D': Draft Approval Extension Request dated April 27, 2022, from Monteith Brown Planning Consultants

Schedule 'E': Draft Plan Conditions

Schedule 'F': Draft Plan of Subdivision

Schedule 'G': Staff & Agency Comments

Recommended by:

Sabine Robart, M.SC. (PL), MCIP, RPP, Manager of Planning & Heritage

Pamela Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Sabine Robart, Manager of Planning & Heritage at srobert@owensound.ca or 519-376-4440 Ext. 1236.